

1 R. Ernest Montanari, Esq. (SBN 152209)  
2 MUSACCHIO & MONTANARI, P.C.  
3 1280 Civic Drive, Suite 200  
4 Walnut Creek, California 94596  
5 Telephone: (925) 465-3950  
6 Facsimile: (925) 465-3951  
7 Email: [emontanari@mmlawpc.com](mailto:emontanari@mmlawpc.com)

8 Attorneys for Plaintiff, DEBRA MASON

9  
10 IN THE UNITED STATES DISTRICT COURT FOR  
11  
12 THE NORTHERN DISTRICT OF CALIFORNIA  
13  
14 SAN FRANCISCO DIVISION

15 DEBRA MASON

16 Plaintiff,

17 vs.

18 AMBROSE RECREATION AND PARK  
19 DISTRICT, TARRY SMITH, MAE CENDANA,  
20 JUDY DAWSON, EVA GARCIA, STEVE  
21 HOAGLAND and DOES 1 through 99, inclusive,

22 Defendants.

Case No.: CV 12-02727 EDL

**STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE AND  
[PROPOSED] ORDER**

**DATE: August 29, 2012**  
**TIME: 2:00 p.m.**  
**DEPT.: Courtroom E (15<sup>th</sup> Floor)**  
**U.S. District Court**  
**450 Golden Gate Ave**  
**San Francisco, California**

*United States Magistrate Judge  
Elizabeth D. Laporte*

23 ///

24 ///

25 ///

26 ///

1 WHEREAS, an initial Case Management Conference ("CMC") is currently scheduled for  
2 August 29, 2012 at 2:00 p.m. in Courtroom E, of the U.S. District Court, located at 450 Golden Gate  
3 Avenue, 15<sup>th</sup> Floor, San Francisco, California.

4  
5 WHEREAS, on August 10, 2012 the Defendants, Ambrose Recreation and Park District, Tarry  
6 Smith, Mae Cendana, Judy Dawson, Eva Garcia and Steve Hoagland filed a Motion to Dismiss  
7 (Federal Rules of Civil Procedure Rule 12(b)(6) and a hearing date is currently set for September 25,  
8 2012.

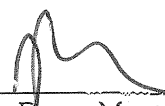
9  
10 WHEREAS, it has been stipulated by and between the parties through their respective counsel,  
11 to respectfully request a continuance of the CMC, with the Court's permission, so that the parties may  
12 receive a ruling on the Motion to Dismiss before providing a CMC Statement and before attending the  
13 CMC.

14  
15 WHEREAS, the parties request the August 29, 2012 CMC be rescheduled to a date after the  
16 Motion to Dismiss hearing set for September 25, 2012.

17 IT IS HEREBY STIPULATED:


18 Dated: August 13, 2012

MUSACCHIO & MONTANARI, P.C.

19  
20 By:   
21 R. Ernest Montanari, Esq.  
22 Attorneys for Plaintiff, DEBRA MASON

23 Dated: August 13, 2012

ANGELO, KILDAY & KILDUFF

24  
25 By:   
26 Serena M. Sanders, Esq.  
27 Attorneys for Defendants, AMBROSE  
28 RECREATION AND PARK  
DISTRICT, TARRY SMITH, MAE  
CENDANA, JUDY DAWSON, EVA  
GARCIA, STEVE HOAGLAND

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the CMC currently set for August 29, 2012 be continued to October 9, 2012. at 10:00 a.m. A joint case management statement shall be filed no later than October 2, 2012.

Dated: August 15, 2012



ELIZABETH D. LAPORTE  
United States Magistrate Judge